

1 THE HONORABLE THOMAS S. ZILLY
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 BUNGIE, INC.,

10 Plaintiff,

11 v.

12 AIMJUNKIES.COM; PHOENIX DIGITAL
13 GROUP, LLC; DAVID SCHAEFER; JORDAN
14 GREEN; JEFFREY CONWAY AND JAMES
15 MAY,

Defendants.

No. 2:21-cv-811

**PLAINTIFF BUNGIE, INC.'S
MOTION TO SEAL**

NOTE ON MOTION CALENDAR:
April 20, 2023

16 Plaintiff Bungie, Inc. (“Bungie”), pursuant to LCR 5(g) and the Stipulated Protective Order
17 entered by the Court in this matter (Dkt. No. 60), hereby moves to file under seal the Declaration
18 of John Doe in Support of Bungie’s Motion for Protective Order (“Doe Decl.”).

19 A party may file a document under seal without prior court approval “[i]f the party files a
20 motion or stipulated motion to seal the document . . . at the same time the party files the sealed
21 document.” LCR 5(g)(2)(B). The contemporaneous motion must include a certification that the
22 parties met and conferred about the need to file the document under seal, the ability to minimize
23 the material filed under seal, and the possibility of exploring alternatives to filing under seal. LCR
24 5(g)(3)(A). Here, Bungie intends to file under seal the declaration of John Doe, whose identity is
25 the subject of Bungie’s Motion for Protective Order. The private and public interests that warrant
26 a sealing order, the injury that will result to John Doe if their declaration is not sealed, and the

PLAINTIFF'S MOT. TO FILE UNDER SEAL
(No. 2:21-cv-811) – 1

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1 reasons why a less restrictive alternative to the relief sought is not sufficient are set forth in
2 Bungie's motion, and are incorporated herein by reference.

3 On April 12, 2023, Bungie's counsel held a teleconference with Defendants' counsel
4 regarding maintaining John Doe's name as Highly Confidential under the parties' Stipulated
5 Protective Order (Dkt. No. 60). Defendants' counsel stated Defendants did not have objections to
6 maintaining John Doe's name as Confidential. The parties disagreed as to the appropriateness of
7 the Highly Confidential designation.

8 A proposed order accompanies this motion.

9 Dated: April 20, 2023

By: /s/Jacob P. Dini

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